

PLYMOUTH BOARD OF SELECTMEN

TUESDAY, SEPTEMBER 13, 2016

MAYFLOWER ROOM, TOWN HALL, 11 LINCOLN STREET, PLYMOUTH, MA – 6:30 PM

6:30PM – EXECUTIVE SESSION

The Board of Selectmen held an Executive Session pursuant to Massachusetts General Laws, Chapter 30A, Section 21, Paragraph 6; to consider the purchase, exchange, lease or value of real property, if the chair declares that an Open Meeting may have a detrimental effect on the negotiating position of the Governmental Body.

❖ Chapter 61 – Pinehills

7:14PM - CALL TO ORDER

Ken Tavares, Chairman of the Board, called the meeting to order at 7:14 p.m. and led the Pledge of Allegiance.

Present: Kenneth A. Tavares, Chairman
 John Mahoney
 Shelagh Joyce

 Melissa Arrighi, Town Manager

7:15PM – PUBLIC COMMENT

Ken Tavares, Chairman of the Board, mentioned to the audience that the Board came from Executive Session which is why they were starting a little bit late.

Jean Nalen of 53 Bay Shore Drive came to the podium and wanted to talk about Airbnb. She stated that the owners of 50 Bay Shore Drive are advertising their home on Airbnb for nightly rentals and the renters are not quiet. She said that the owner does not live in the house and only uses it for nightly rentals. Ms. Nalen also said that the neighborhood is not hotel/motel zoned, and she added that it is a 4 bedroom home and it's advertised to sleep 12 so they are overloading the septic system.

Melissa Arrighi, Town Manager, said that there are no real regulations with Airbnb, adding that there is no way of controlling it. Ms. Arrighi went on to say if it's a noise issue she should call the police.

Betty Cavacco, President of the Manomet Youth Center, came up and said they were in the throes of fund raising. She went on to say they were trying to book a Casino Night at Memorial Hall and asked the Board if they could waive or reduce the fees.

Chairman Tavares said that the Board tries not to waive fees saying that the problem is if they waive the fees for one non-profit they have to waive the fees for every other non-profit.

Betty Cavacco went on to say the fees were waived two years ago and that all of this money goes right back into town property. Ms. Cavacco asked if they could at least reduce the fees.

Chairman Tavares replied by explaining they have a fee structure and policy that they have to stick to because Memorial Hall needs to support itself.

John Mahoney, Selectman, explained to Ms. Cavacco that years ago the American Legion had a fund raiser for some property that was lost in a flood and they requested fees to be waived. We had to tell the veterans that our policy is to not waive fees, so we really can't turn down veterans then tell you yes we will waive the fees.

Ms. Cavacco said she understood their frustration, but explained that this is town property and it is for the children, stating that she has nothing against veterans. She finished by saying she hasn't asked the town for help in a long time and pleaded for them to reconsider.

Keven Joyce, Chairman of the Disabilities Commission, came to the Board to request an increase in the fine for parking in a handicap parking spot without a placard from \$100 to \$200 per violation. Mr. Joyce went on to say that there hasn't been an increase in years. He also said the number of violations has increased from 177 in 2014, 322 issued in 2015 and projected for 2016 will be close to 400. He finished by saying there aren't enough HP spots for the number of users so he urged the Board to support this.

Chairman Tavares asked the Town Manager to put this into a form that the Board can vote on at their next Selectmen's Meeting.

7:29PM – PUBLIC HEARING – Texas Roadhouse

In accordance with Chapter 138 of the Massachusetts General Laws, as amended, notice is hereby given that a Public Hearing was held at the Plymouth Town Hall, 11 Lincoln Street, on Tuesday, September 13, 2016 at 7:05pm to consider the application for a New Annual All Alcohol Restaurant License from Texas Roadhouse Holdings LLC d/b/a Texas Roadhouse, 20 Shops at 5 Way, Brian Berry, Manager.

Andrew Upton, Attorney for Texas Roadhouse, came to the podium and introduced himself and Brian Berry, General Manager of the Texas Roadhouse. Mr. Upton said they hold 10 All Alcohol License throughout Massachusetts with a perfect record. He said that this particular location will employ about 160 full-time local people. He said they will close at 10:00pm weeknights and 11:00pm on weekends, adding that this location will produce \$30,000 in tax revenues for the Town of Plymouth.

Chairman Tavares thanked them for coming in tonight and that they will be a welcomed addition to Plymouth.

On a motion by John Mahoney and seconded by Shelagh Joyce, the Board approved a New Annual All Alcohol Restaurant License for Texas Roadhouse. *Voted 5/0*

7:38PM – SEWER FORCE MAIN UPDATE – DPW Director

Jonathan Beder, Director of Public Works, came up to do a presentation on the Sewer System and Repair Project. He began by giving a breakdown of where each of the processes stood during the 15th week of a 22 week project.

- Emergency Response
 - Bypass Pipe Monitoring Continues
- Force Main Repairs
 - Construction On-Going
 - Completion in Early November
- SRF Funding Updates
 - Application Completed and Approved
 - First Reimbursement Received on September 1, 2016
- Redundant Pipe Update
 - Design and Permitting
 - Bidding and Award
 - Construction
- Bypass Pipe Decommissioning and Removal
 - Start upon Force Main Start-Up
 - This Will Take 4 to 6 Weeks
 - Redundant Pipe Project Will Start after the Bypass is Removed

Mr. Beder then showed some slides of each individual project which had pictures of the old rotted pipes as well as the new pipes being installed at various locations. Included in those slides was a break-down of the \$48 Million price tag.

The DPW Director finished by thanking the residents along the Force Main for their patience and cooperation during this challenging time. He also thanked State and Local Officials, Town Departments and Staff as well as the Engineers and Contractors.

Chairman Tavares said he has been very impressed by the complexity of this system and the work being done. He gives the Staff and Contractors a lot of credit.

Selectman Joyce said the break-down of the costs was excellent, and asked if Mr. Beder felt that we would end up on budget at \$48 Million.

Jonathan Beder replied yes, that they have found all of their surprises and they were excited to be in the midst of this huge project.

Selectman Mahoney wanted to make sure that they were still planning on a full restoration of the resident's properties once the work was completed, to which Mr. Beder said absolutely.

7:53PM – PUBLIC HEARING – Loring Boulevard

Sid Kashi, Town Engineer, explained that this road way is the main entrance to Cordage Park and they were requesting that the Board accept this Easement.

On a motion by John Mahoney and seconded by Shelagh Joyce, the Board approved the acceptance of an Easement for Loring Boulevard. *Voted 3/0*

7:55PM – PUBLIC HEARING – Commerce Way

Sid Kashi told the Board that this is the section of Commerce Way that runs between Route 80 and Carver Road, and requested the Board to accept an Easement.

On a motion by John Mahoney and seconded by Shelagh Joyce, the Board approved the acceptance of an Easement for a portion of Commerce Way. *Voted 3/0*

7:57PM – PUBLIC HEARING – Carver Road

Mr. Kashi explained that this section of Carver Road was at the intersection of Carver Road and Commerce Way in front of Market Basket.

On a motion by John Mahoney and seconded by Shelagh Joyce, the Board approved the acceptance of an Easement for a section of Carver Road. *Voted 3/0*

7:57PM – PUBLIC HEARING – Water Street

Sid Kashi described this part of Water Street as part of the Promenade Project, and was located in the vicinity of the Water Street Café.

On a motion by Shelagh Joyce and seconded by John Mahoney, the Board approved an Easement for a section of Water Street near Water Street Café. *Voted 3/0*

7:57PM – PUBLIC HEARING – Resnik Road

Mr. Kashi explained to the Board that this section of Resnik Road was at the intersection with Industrial Park Road and they were requesting an Easement.

On a motion by Shelagh Joyce and seconded by John Mahoney, the Board approved an Easement for a portion of Resnik Road at Industrial Park Road. *Voted 3/0*

Chairman Tavares then asked for a show of hands for the people who were attending the meeting for the Article 33 – Poultry Bylaws. Then he suggested hearing that Article first so people wouldn't have to wait too long during the meeting.

8:04PM – ARTICLE 33 – Poultry (Lynn Holdsworth)

To see if the Town will vote to amend Chapter 23 of the By-Laws of the Town of Plymouth to add: Article 5 Poultry

- No rooster shall be on less than 2 acres
- No more than 6 poultry per ¼ acre and no more than 4 poultry on property less than ¼ acre.
- Poultry is defined as domesticated birds including chickens, turkeys, ducks, geese, guinea, fowl, pheasants and pigeons of any age and any size.

Lynn Holdsworth came to the podium to discuss her proposed Poultry Bylaw. She explained that there have been several complaints to the Town regarding roosters and the noise and smell that they create. She went on to say that one of her neighbors in a beach community has several chickens, ducks, turkeys, etc.....and that the noise and smell are beyond explanation. Many of the neighbors lose sleep because the roosters crow constantly and that

they have to sleep with their windows closed due to the smell from the chicken manure. Ms. Holdsworth urged the Board to support her Article.

Chairman Tavares then invited those in favor of the Article to come up and speak.

Sue Wentworth came up and said that she lives in an area where there is an extreme case stating that there is a resident with a ½ acres lot and there are well over 100 birds. She added that the roosters are loud and that there are rats in the area because of the manure.

Norm Gavin got up and said that those roosters crow starting at 3:30am until the middle of the day. He said there are rats and coyotes running through their yards. Mr. Gavin urged someone to come down there and take care of this horrible situation. He finished by saying this is a vicious neighborhood fight and it's not fair.

Kim Ferazzi came up next and said she's lived there for 9 years, and 5 years ago this neighbor started getting all kinds of birds, roosters, ducks, geese, etc. She said they are loud, they smell, they attract rats, bugs and flies as well. She finished by saying something has to be done because the animals can't be healthy.

Chairman Tavares then asked for people that were against the Article to come up and speak.

Robert Spencer came up and said that he felt all that the Town needed to do was to get the Board of Health down to these farms to inspect them.

David South came to the podium and said obviously there's a big problem in West Plymouth but why punish all of us, why blanket bylaws like this onto all of us.

Greg McCaski got up and said he has chickens, goats and pigs that are well taken care of and if this bylaw goes through it will hurt him. He said he feels that the Board of Health needs to go in and take of this individual.

Kim Zuraki came up next and said that she agrees with having a bylaw on the books but incorporate chicken owners in deciding what it will say. She added that you can't even buy 4 chicks saying that any feed store requires that you buy at least 6 chickens. You need that many so they can huddle and keep warm. She added that once they stop laying she keeps them as pets but replaces them with younger chickens for eggs.

Jim Dio was next and he said that he has 13 chickens and has never had a complaint. Mr. Dio said that in his neighborhood there is a dog that bark incessantly and never once has it crossed his mind to ban dogs.

Jim Wilson said that his rooster protects his chickens from predators and he disagrees with any bylaw. He added that this is clearly a neighborhood dispute and has nothing to do with the chickens. His chickens have never had a complaint and go inside before dark.

Karen who lives on Alden Street said she has had chickens for years. She said she keeps them and their area clean and that there is no smell, so she urged the Board to not punish her because of one bad neighbor.

Steve Strair, Board of Health Member, came up and said that he is also a chicken owner. He added that he is opposed to the Article because reasonable chicken owners will suffer for it. He explained that it's not good policy to let one bad apple drive the regulation of the Town. Mr. Strair also said that the Board of Health was planning on taking this issue up at their next meeting on October 12, 2016 at 9:30am. He invited the audience to join them.

Chairman Tavares then asked if there was anyone else that wanted to speak in favor.

Jason Bertrand came up and said the roosters are putting a strain on his marriage. He explained that roosters come and go to auction. He finished by saying that this situation is affecting his health because of lack of sleep.

Carla Horwitz came to the podium saying that 3 or 4 years ago they started hearing rooster, chickens and geese. She said it was always quiet until then. She claimed that she hasn't complained because her neighbor had an arrow shot into the side of her house. She finished by saying she doesn't want to hurt the responsible chicken owners.

Steve Lydon said he doesn't know about chickens, but dogs have to be fenced or leashed so he feels a bylaw should be written, but added that this one might need some work.

Chairman Tavares then invited more people that wished to speak against the Article to come to the podium.

Holly Drake came up and said that she has less than a ¼ acre of land and has 6 chickens. She said she gets 4 eggs a day which is crucial because her daughter is allergic to eggs but she can eat the fresh eggs without any problems. She asked that people like herself, who clean up the manure and take care of their flock, not be punished because of this horrific isolated situation.

Sandy came up next and said she has a ¼ acre lot with 13 chickens. She said if you lose one chicken you can't replace it by buying one chicken, you have to buy at least six chicks. She understands roosters being loud but urged them not to enforce this on all chicken owners.

Bella Pikowski came to the podium and said that she has 8 chickens. She said they have an amazing impact and she shares them with her friends. She added that it's not their fault that these people are having a hard time with their neighbors.

Martha Ozelius from 30 George Street, came up and said she worked at Morrison's where they serve a lot of backyard farmers. She felt that the proposed Article is not spot on for the Plymouth Community. Ms. Ozelius suggested that they get input from a responsible chicken owner.

Chairman Tavares then said they would take a couple more people to speak in favor of the proposed bylaw.

Ron Reilly came up and said that no one is against the responsible chicken owners, but the bottom line is the noise and the smell. He felt that this Article is not unreasonable at all. Mr. Reilly said he was in favor of getting together with some of the chicken owners to come up with a plan that will help the residents of West Plymouth.

Margaret McCauley came to the podium and said she had a neighbor with roosters. The Board of Health sent out a letter and they got rid of them. She went on to say she is in favor of this Article but agreed it could be tweaked. She finished by saying this problem will grow without the bylaw and that she supports farming but with respect for your neighbors.

Chairman Tavares said they have listened to 22 people for the last hour plus. There's a common thread that most do support people raising chickens. Mr. Tavares explained that when you go to Town Meeting you want to try and have a bylaw that will pass. He said he is going to ask Mr. Strair if he could call a meeting at the Town Hall and start to go over this

bylaw with the petitioners as well as some of the chicken owners. He said we spent over an hour on this Article which they will not do at Town Meeting.

Steve Strair agreed to hold and spearhead the meeting that the Chairman suggested.

Selectman Joyce asked Mr. Strair how many members were on the Board of Health, and also urged him to have this meeting in the evening as many people work full time jobs and would find it difficult to be here for a 9:30am meeting. She also asked that during the meeting that they consider if the people that already have chickens will be grandfathered in.

On a motion by John Mahoney and seconded by Shelagh Joyce, the Board agreed to table Article 33 until the September 27, 2016 Selectmen's Meeting.

9:09PM – RECESS

9:21PM – ARTICLE 4A – Fiber Loop (*Lynne Barrett*)

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sum of money for the construction and/or repair and/or purchase and/or lease and/or replacement of departmental building and/or equipment and/or capital facilities and/or for feasibility studies and other types of studies for the various departments of the Town, or take any other action relative thereto.

Lynne Barrett came up to the podium and said that she was filling in for Joe Young, the Information Technology Manager, who is requesting \$100,000 for the relocation of the Fiber Strands to the new Town Hall and Plymouth South High School for our Fiber Network.

Shelagh Joyce, Selectman, wanted to share some information from last night's Capital Improvement Meeting. She said the \$100,000 breaks down into \$86,000 for Town Hall and \$14,000 for Plymouth South. She stressed that the Plymouth South project should be able to absorb the \$14,000. Ms. Joyce also added that she was disappointed that this wasn't figured into the scope of the building project saying it should have come out of the Meal Tax rather than the tax-payers pockets.

On a motion by John Mahoney and seconded by Shelagh Joyce, the Board was split on recommending Article 4A for the 2016 Fall Town Meeting. *Voted 1/1/1*

By Roll Call: Tavares-Abstain, Mahoney-Yes, Joyce-No

9:25PM – ARTICLE 4B – Waste Water Audit (*Jonathan Beder*)

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sum of money for the construction and/or repair and/or purchase and/or lease and/or replacement of departmental building and/or equipment and/or capital facilities and/or for feasibility studies and other types of studies for the various departments of the Town, or take any other action relative thereto.

Jonathan Beder, Director of Public Works, came to the podium to say that they would like to do the Waste Water Audit to make certain that there aren't any deficiencies in the system. We're trying to be proactive.

On a motion by Shelagh Joyce and seconded by John Mahoney, the Board recommended Article 4B for the 2016 Fall Town Meeting. *Voted 3/0*

9:29PM – ARTICLE 4C – Parking Deck (*Melissa Arrighi*)

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sum of money for the construction and/or repair and/or purchase and/or lease and/or replacement of departmental building and/or equipment and/or capital facilities and/or for feasibility studies and other types of studies for the various departments of the Town, or take any other action relative thereto.

Melissa Arrighi, Town Manager, said that the Parking Deck was presented at the Capital Improvement Meeting last night and it was ranked 5th on the agenda. She went on to say that the design is very respectful to Burial Hill and its surroundings, and that this project is sponsored by the Plymouth Growth and Development Corporation.

Steve Lydon came up and said he supported this project but stressed that people coming to Town Hall to do business should not have to pay for parking.

Christopher Fava came up to the podium and suggested that the design should include charging stations for hybrids.

Robert Spencer said he was dead set against this Parking Deck. He said he was in favor of converting the Court House into the New Town Hall but to build a Parking Deck that people will have to pay for is awful. He finished by saying he was disappointed that this wasn't brought up during the original planning of the meal tax.

Melissa Arrighi replied by saying Mr. Spencer was right and that we don't want people to have to pay to come to Town Hall so there will be ample free parking up against the building.

Everett Malaguti came up and said he supports the parking deck but asked how they would guarantee that there would be ample free parking for Town Hall visitors.

Leighton Price, of the Plymouth Growth and Development Corporation, came to the podium and said that Russell Street and South Russell Street will have timed parking but not metered.

John Mahoney, Selectman, asked how this parking deck would affect burial hill.

Leighton Price said that Burial Hill was included in the design meetings.

Selectman Mahoney said that he wasn't comfortable without going up to do a site tour so he suggested tabling it until he's had a chance to see the site and in two weeks all five Board members will be presented.

Selectman Joyce expressed concern about the lack of easy access for disabled people who may want to access the parking deck. Ms. Arrighi said that there were no plans for an elevator but that she would look into the amount of incline in the crosswalk to the Town Hall.

On a motion by Shelagh Joyce and seconded by John Mahoney, the Board approved tabling Article 4C until the September 27, 2016 Selectmen's Meeting. *Voted 3/0*

9:52PM – ARTICLE 4D – Pumping Engine (*Fire Chief Ed Bradley*)

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sum of money for the construction and/or repair and/or purchase and/or lease and/or replacement of departmental building and/or equipment and/or capital facilities and/or for feasibility studies and other types of studies for the various departments of the Town, or take any other action relative thereto.

Ed Bradley, Fire Chief, came to the podium and told the Board that he is asking to replace Pumping Engine 6. Chief Bradley went on to say that this particular Engine has had increasingly more down-time and repairs. He went on to list the benefits of this purchase:

- Provide a new “Front Line” apparatus for the Cedarville Station
- Mechanics can make Engine 6 a reliable “ready reserve” which will
- Replace a 22 year old Pumping Engine that will be removed in December 2016

Chief Bradley finished by saying if we wait until 2017 Spring Town Meeting we will be down a Pumping Engine for at least a full year, and that authorizing the funding at the 2016 Fall Town Meeting will save \$20,000.

Mr. Spencer came up and said is was in favor of Chief Bradley getting this new Pumping Engine but asked how much the total purchase would cost the Town.

Chief Bradley replied by saying the new Engine would cost \$598,600 stating that if we order by November 1, 2016 the \$20,000 savings would be included.

On a motion by John Mahoney and seconded by Shelagh Joyce, the Board recommend Article 4D for the 2016 Fall Town Meeting. *Voted 3/0*

9:59PM – ARTICLE 4G – GPS Field Survey Equipment (*Sid Kashi*)

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sum of money for the construction and/or repair and/or purchase and/or lease and/or replacement of departmental building and/or equipment and/or capital facilities and/or for feasibility studies and other types of studies for the various departments of the Town, or take any other action relative thereto.

Sid Kashi, Town Engineer, came to the Board and said that the Town’s surveying equipment needed to be replaced. He went on to say that after trouble shooting inconsistent data logs it was found that the GPS equipment we’ve been using for 16 years is now obsolete. Mr. Kashi also said that the manufacturer, Trimble, is recommending we replace this GPS equipment since there is no technical solution to the issues with the old one.

On a motion by Shelagh Joyce and seconded by John Mahoney, the Board recommended Article 4G for the 2016 Fall Town Meeting. *Voted 3/0*

10:01PM – ARTICLE 4H – Delta Taxi-Way (*Tom Maher*)

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sum of money for the construction and/or repair and/or purchase and/or lease and/or replacement of departmental building and/or equipment and/or capital facilities and/or for

feasibility studies and other types of studies for the various departments of the Town, or take any other action relative thereto.

Tom Maher, Airport Manager, came to the podium and told the Board that they are seeking their support to complete the Delta Taxi-Way which will allow aircraft to taxi to their terminals without having to cross an active runway. Mr. Maher said that it is a \$1,700,000 project of which \$85,000 would come from the airport enterprise fund and the remaining \$1,615,000 would come from FAA and MassDOT Grants.

On a motion by John Mahoney and seconded by Shelagh Joyce, the Board recommended Article 4H for the 2016 Fall Town Meeting. *Voted 3/0*

10:03PM – ARTICLE 13 – PILOTS (*Lynne Barret*)

To see if the Town will vote, pursuant to the provisions of G.L. c.59, §38H, to authorize the Board of Selectmen and Board of Assessors to negotiate and enter into an agreement for payment-in-lieu-of-taxes (PILOT) for the following projects:

- A- Renewable Energy Development Partners
Ground 1.0, Map 97, Lot 10-2, adjacent to the Airport
- B- Renewable Energy Development Partners
Ground 0.5, Map 99, Lot 1C, off Federal Furnace Road
- C- SunEdison Origination 1
Ground 4.0, Map 107, Lot 20F-3 and 24A, off Kristin Road
- D- 46 Shops Plymouth Solar
Roof 1.1, Map 83, Lot 3C-3, 46 Shops at 5 Way
- E- 978 Solar Development
Ground 1.3, Map 114, Lot 5, 9 River Run Way
- F- 978 Solar Development
Ground 1.3, Map 114, Lot 7-2 and 7-8, 5 River Run Way
- G- 978 Solar Development
Ground 2.7, Map 115, Lot A-1, 3 River Run Way
- H- 978 Solar Development
Ground 1.3, Map 90, Lot 17-5, 57 Black Cat Road

Each for a period of up to 20 years, upon such term and conditions as the Board of Selectmen and Board of Assessor shall deem to be in the best interest of the Town, or take any other action relative thereto.

Lynne Barrett, Finance Director, came to the podium and explained to the Board that these PILOTS (Payment-in-lieu-of-Taxes) were set up for the various Solar Arrays planned within the Town of Plymouth. She also said that these PILOTS would begin immediately once each of the Solar Arrays go on grid and are live.

Shelagh Joyce, Selectman, asked Ms. Barrett what the Town could do if any of the Solar Companies defaulted on these PILOTS.

Ms. Barrett replied by saying we would proceed with collections and then a legal remedy.

On a motion by Shelagh Joyce and seconded by John Mahoney, the Board recommended Articles 13A through 13H for the 2016 Fall Town Meeting. *Voted 3/0*

10:10PM – ARTICLE 2A – General Fund Budget Amendment (*Lynne Barrett*)

To see if the Town will vote to amend the votes taken under Article 7A of the 2016 Annual Town Meeting Warrant, and, as necessary, to raise, appropriate, transfer or borrow funds for the purpose of supplementing departmental expenses, and/or to reduce departmental expenses or otherwise amend said vote, or take any other action relative thereto.

Lynne Barrett, Finance Director, came to the podium and asked that the Board support a budget amendment from the 2016 Annual Town Meeting back in April. She said the amendments are due to various adjustments that have been made.

On a motion by John Mahoney and seconded by Shelagh Joyce, the Board recommended Article 2A for the 2016 Fall Town Meeting. *Voted 3/0*

10:12PM – ARTICLE 2B – Enterprise Fund Budget Amendment (*Lynne Barrett*)

To see if the Town will vote to amend the votes taken under Article 7B, 7D, and 7D of the 2016 Annual Town Meeting Warrant, and, as necessary, to raise, appropriate, transfer or borrow funds for the purpose of supplementing enterprise departmental expenses or otherwise amend said vote, or take any other action relative thereto.

Lynne Barrett came to the Board asking for an amendment to the Enterprise Fund Budgets due to short term interest decreases for the bond anticipation note we did back in May of 2016. Ms. Barrett also told the Board that changes were necessary to the Solid Waste Enterprise Fund based on the updates estimated enrollment and the costs associated with providing those services.

Shelagh Joyce asked about the subsidy and what that would do to the enterprise fund.

Lynne Barrett said that the subsidy will exhaust the enterprise fund.

Selectman Mahoney said we were going to get a working group together for solid waste then asked if they were still meeting, and also wanted to know if we will need another subsidy.

Lynne Barrett replied and said that she is part of that working group, and said that they had met 3 times and have been hashing out ideas.

On a motion by John Mahoney and seconded by Shelagh Joyce, the Board recommended Article 2B for the 2016 Fall Town Meeting. *Voted 3/0*

10:19PM – ARTICLE 34 – Public/Private Roads (*Christopher Fava*)

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise fund \$25,000,000 in improvements to Public and Unaccepted Roads including all costs necessary and related to the following: Resurfacing, Markings, Guardrails, Sidewalks, Street Lights, Traffic Control, Berms and Curbs, Right of Way Acquisitions, Bicycle Lanes and Paths, Bridges, Tree/Planting/Landscaping associated with the project, or take any other action relative thereto.

Christopher Fava came to the podium and explained the type of road repairs that were needed throughout the Town of Plymouth as some of the following: Resurfacing, Crack sealing, Drainage, Markings, Guardrails, Sidewalks, Street Lights, Curbs, Bike Lanes, etc.

Mr. Fava then went on to list some of the issues with bad road conditions: Public Safety, Difficult to Use, Increased Accidents, Roads will Fail, Flooding and Drainage Issues, and Increased overall Road Repair Costs.

John Mahoney, Selectmen, commended Mr. Fava on his presentation and added that we want to invest in our roads but don't want to spend the money. Selectman Mahoney went on to say this is an example of failed fiscal policy, adding that all of the excise taxes and roads taxes are being put into the General Fund when it should be put into a fund to be used strictly for roads.

Christopher Fava then challenged the Selectmen to change that policy, adding that he'd be more than happy to sponsor an Article for just that purpose at next year's Annual Town Meeting, but urged that there wasn't enough time for that and the funds were needed now.

Selectman Joyce said that she wasn't sure that Mr. Beder could handle that right now and that she wasn't sure the Town could absorb the \$25,000,000 worth of road work, as she is concerned about the tax rates.

Mr. Fava said that he agreed and understood her concerns, but added that all of these funds do not have to come from the tax roll and burden the residents.

Robert Spencer came to the podium and said that he agreed with Christopher Fava saying that the roads are in need of repairs, and went on to say to the Board that you need to be putting excise taxes into a fund for these repairs.

David Lustre came to the podium and said that the roads in Plymouth need to be taken care of and added that the Town is doing something wrong because the infrastructure is worse than in any other town.

Everett Malaguti came up next saying that he agreed with the previous speakers saying that the roads in Plymouth are deplorable. He also said that he cannot support this massive amount of money on the Town Meeting Floor. Mr. Malaguti finished by saying he would sponsor an Article with him to dedicated excise tax towards road repairs.

On a motion by Shelagh Joyce and seconded by John Mahoney, the Board did not recommend Article 34 for the 2016 Fall Town Meeting. *Voted 0/3*

10:51PM – ARTICLE 1 – Classifications and Compensation (*Melissa Arrighi*)

To see if the Town will vote to amend the Classification and Compensation Plans and the Personnel By-Law and Collective Bargaining Agreements contained therein, or take any other action relative thereto.

Melissa Arrighi, Town Manager, told the Board that they are proposing an amendment to the Town's Personnel By-Law. Ms. Arrighi went on to explain that the proposed amendment would provide a new incentive for the Executive Group by allowing all employees within this classification to buy back five (5) days of earned time each fiscal year, as well as reducing the number of earned day allowed from 45 to 40. Ms. Arrighi also said the amendment would include a longevity stipend of \$2,000 for employees with 25 years or

more of service to the Town annually. She went on to say that this amendment would distinguish the Department Heads from all other groups by offering this incentive to the Town's top level executives only, and that it was aimed at minimizing the number of days each year a department head will be absent from managing the Town's complex Departments.

On a motion by John Mahoney and seconded by Shelagh Joyce, the Board recommended Article 1 for the 2016 Fall Town Meeting. *Voted 3/0*

10:56PM – ARTICLE 4F – Plymouth Beach Sea Wall (*Melissa Arrighi*)

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sum of money for the construction and/or repair and/or purchase and/or lease and/or replacement of departmental building and/or equipment and/or capital facilities and/or for feasibility studies and other types of studies for the various departments of the Town substantially as follows: Fiber Loop, Waste Water Treatment Plant Audit, Parking Deck, Pumping Engine, Plymouth Beach Revetment, Plymouth Beach Seawall, GPS Field Survey Grade Equipment, and Airport Delta Taxiway.

Melissa Arrighi, Town Manager, presented the next two Articles for David Gould, Director of Marine and Environmental Affairs. She said this particular Article is for the seawall directly in front of the old Burt's Restaurant which has been damaged by storms over the past several years. She stated that we would pay \$815,000 up front and get reimbursed through grants

On a motion by John Mahoney and seconded by Shelagh Joyce, the Board recommended Article 4F for the 2016 Fall Town Meeting. *Voted 3/0*

10:58PM – ARTICLE 4E – Plymouth Beach Revetment (*Melissa Arrighi*)

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sum of money for the construction and/or repair and/or purchase and/or lease and/or replacement of departmental building and/or equipment and/or capital facilities and/or for feasibility studies and other types of studies for the various departments of the Town substantially as follows: Fiber Loop, Waste Water Treatment Plant Audit, Parking Deck, Pumping Engine, Plymouth Beach Revetment, Plymouth Beach Seawall, GPS Field Survey Grade Equipment, and Airport Delta Taxiway.

Melissa Arrighi explained that this Article pertains to the repair of the Revetment that runs along the parking lot of Long Beach, which was damaged and undermined over the years by nor'easters. Without the repairs the ocean will continue to over wash and carry stones, sand and debris into Eel River as well as across Warren Avenue into the pond. Each time this happens it costs a lot of money to dredge out the river and the pond, as well as clear the sand and debris from Route 3A in order to open the roadway again.

On a motion by Shelagh Joyce and seconded by John Mahoney, the Board recommended Article 4E for the 2016 Fall Town Meeting. *Voted 3/0*

11:07PM - LICENSES AND ADMINISTRATIVE NOTES

LICENSES

On a motion by John Mahoney and seconded by Shelagh Joyce, the Board approved a One Day All Alcohol License for **Plimoth Plantation Inc.**, 137 Warren Avenue for a Cocktail Party being held on September 30, 2016 from 5:30pm to 7:00pm in the Craft Center at the Plantation. *Voted 3/0*

On a motion by John Mahoney and seconded by Shelagh Joyce, the Board approved a One Day All Alcohol License for **Jim Tirbassi**, PO Box 353, Londonderry, NH for a Concert being held on September 16, 2016 from 6:00pm to 10:30pm at Memorial Hall. *Voted 3/0*

On a motion by Shelagh Joyce and seconded by John Mahoney, the Board approved a Comprehensive Entertainment License for the **99 Restaurant**, 21 Hope Depot Drive for a Grand Opening Live Singer being held on October 6, 2016 from 4:45pm to 7:30pm at the Restaurant. *Voted 3/0*

On a motion by Shelagh Joyce and seconded by John Mahoney, the Board approved an Automatic Amusement License for the **American Legion Post 40 Inc.**, for five (5) new Amusement Machines. *Voted 3/0*

On a motion by John Mahoney and seconded by Shelagh Joyce, the Board approved a Change of Manager for **Leena's Hospitality LLC**, 63 Long Pond Road from Tracy Greene to Daniel Casinelli. *Voted 3/0*

On a motion by John Mahoney and seconded by Shelagh Joyce, the Board approved Closing for Three Days for the **99 Restaurant**, 21 Home Depot Drive for Maintenance. *Voted 3/0*

ADMINISTRATIVE NOTES

On a motion by John Mahoney and seconded by Shelagh Joyce, the Board approved and executed the **2016 Fall Town Meeting Warrant**. *Voted 3/0*

On a motion by Shelagh Joyce and seconded by John Mahoney, the Board recommended Article 25 for the **2016 Fall Town Meeting**. *Voted 3/0*

- To see if the Town will vote to authorize the Board of Selectmen to acquire by gift, purchase, or eminent domain, and upon such terms and conditions as it deems appropriate, such temporary and permanent easements for highway and utility purposes in lands along Taylor Avenue as necessary to carry out the proposed reconstruction/improvement of Taylor Avenue in accordance with the Easement Plan prepared for such projects, which plan has been placed on file with the Town Clerk, and further to raise and appropriate, transfer, or borrow a sum of money as may be required for the acquisition of the aforesaid interests in land, or take any other action relative thereto.

The Board approved and executed a Complete Street Policy that was voted on at the May 7, 2013 Selectmen's Meeting.

11:12PM - COMMITTEE LIAISON / DESIGNEE UPDATES

None

11:13PM - OLD BUSINESS / LETTERS / NEW BUSINESS

None

11:14PM - ADJOURNMENT

On a motion by Anthony Provenzano Jr and seconded by Shelagh Joyce, the Board voted to adjourn the Open Session at 11:14pm and enter Executive Session, not reconvene in Open Session. *Voted 5/0*

By Roll Call: Tavares-Yes, Provenzano-Yes, Mahoney-Yes, Page-Yes, Joyce-Yes

Recorded by: Christopher Badot

Administrative Assistant, Board of Selectmen